

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

VICTOR FISCHETTI,

Appellant,

v.

JAMES A. SCARPONE, et al.,

Appellees.

In re:

THOMAS A DIONISIO,

Debtor,

Civ. A. No. 06-4838 (SRC)

ORDER

Chesler, U.S.D.J.

This motion having come before the Court on the application of Appellee, Chapter 7 Trustee, Joseph J. Scarpone, asking the Court to rely upon the briefs previously submitted to the United States Court of Appeals for the Third Circuit, and to consider this appeal of the Order issued by the Bankruptcy Court on an expedited schedule (docket item #13); and the Court having considered the papers filed by the parties in support of and in opposition to the application; and the Court having held oral argument on this matter on January 17, 2008; therefore,

For the reasons set forth on the record of oral argument of January 17, 2008,

IT IS on this 18th day of January 2008,

ORDERED that Appellee's request that the Court rely on the briefs submitted to the

Court of Appeals for the Third Circuit is **DENIED** (docket item #13); and it is further

ORDERED that Appellant, Victor Fischetti, shall submit his appellate brief by **Thursday, February 7, 2008**; and it is further

ORDERED that Appellee, James A. Scarpone, shall submit his response brief no later than **Thursday, February 14, 2008**; and it is further

ORDERED that Appellant shall submit a reply brief, if any, by **Thursday, February 28, 2008**.

s/ Stanley R. Chesler
Stanley R. Chesler
United States District Judge